

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
MAGGAY,  
Defendant.

Case No. 19-cr-00468-JST-1

**ORDER TO SHOW CAUSE**

Re: ECF No. 41

Defendant Roderick Maggay, a federal prisoner, has filed a motion under 28 U.S.C. § 2255 to vacate, set aside, or correct a sentence by a person in federal custody. ECF No. 41. Because the “files and records of the case” do not “conclusively show that the prisoner is entitled to no relief,” the Government must show cause why relief should not be granted. 28 U.S.C. § 2255(b).

Accordingly, it is hereby ORDERED that on or before December 1, 2023, the Government shall file and serve an answer showing cause why this Court should not issue a writ of habeas corpus. The Government’s answer shall conform in all respects to Rule 5 of the Rules Governing Section 2255 cases. Additionally, the Government shall file and serve with its answer a copy of all portions of the administrative record that have been transcribed previously and that are relevant to a determination of the issues presented by the motion. The Government may also expand the record, where appropriate, under Rule 7.

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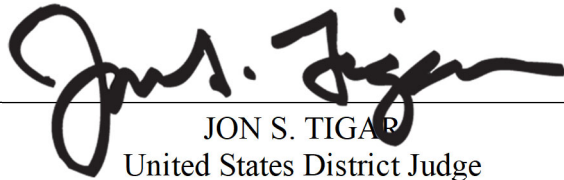
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1 It is FURTHER ORDERED that if Defendant wishes to respond to the answer, he shall  
2 do so by filing a reply with the Court on or before January 2, 2024.

3 **IT IS SO ORDERED.**

4 Dated: September 29, 2023

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6 JON S. TIGAR  
United States District Judge

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